UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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Ref: 8EPR-N January 4, 2008

Walter C. Waidelich, Division Administrator
Federal Highway Administration
2520 West 4700 South
Suite 9A
Salt Lake City, UT 84118

John Njord, Executive Director
Utah Department of Transportation
4105 South 2700 West
Salt Lake City, UT 84119

Re: Comments on State Road UT-108 Improvements, Draft Environmental Impact Statement (DEIS): CEQ# 20070482

Dear Messrs: Waidelich and Njord:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) 42 U.S.C Section 4231 et. seq., and Section 309 of the Clean Air Act 42 U.S.C Section 7609, the U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the State Road UT-108 Improvements DEIS. This project is located between West Antelope Drive in Syracuse to 1900 West in West Haven. The proposed project addresses roadway congestion on S. R. 108, eliminates roadway deficiencies associated with lack of shoulders and turn lanes, and enhances the opportunities for multi-modal use by providing improved bicycle, pedestrian, and transit facilities.

Pursuant to EPA policy and guidance, EPA rates the environmental impact of an action and the adequacy of the NEPA analysis. EPA has rated both action alternatives "EC-2" (Environmental Concerns-Insufficient Information). This "EC" rating means that impacts have been identified that should be avoided in order to fully protect the environment. The "2" rating means that additional information or data is needed to fully assess environmental impacts that should be avoided in order to fully protect the environment. An explanation of the rating criteria is enclosed. More specifically, this DEIS should assess the impacts from construction dust and equipment emissions on sensitive receptors such as schools and any nursing homes in the area. The Syracuse High and the Midland Elementary schools are located very close to new construction. If necessary, mitigation measures should be implemented during construction activity that include newer, cleaner-emitting construction equipment, installation of controls

on diesel construction equipment, rerouting of truck traffic away from schools and alternative cleaner, engines.

The remainder of our comments focus on air quality and water quality impacts and growth. These comments are attached.

We appreciate the opportunity to participate in this project. If you have any questions or would like to discuss our comments, please contact me (303) 312-6004 or Robin Coursen of my staff (303)312-6695.

Sincerely,

/s/ Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection and Remediation

Enclosure

Cc: Greg Punske, FHWA
Ed Woolford, FHWA
David Adamson, UDOT
Betsy Herrmann, U.S. Fish and Wildlife Service
James Mc Millan, U.S. Army Corps of Engineers
Jason Gipson, U.S. Army Corps of Engineers

COMMENTS ON S.R.108

Air Quality:

- The Affected Environment Section should reference the most recent Conformity Analysis for Wasatch Front Area. In addition, EPA suggests that the following paragraph be added to this section with regard to ozone conformity:
    - The Wasatch Front Area is currently in attainment of the new 8-hour ozone standard. Salt Lake and Davis Counties have always shown conformity with past state requirements for ozone related emissions. Projections indicate a steady decrease in mobile source ozone related emissions.

- The frequent winter temperature inversions and associated air quality conditions need to be discussed in much more detail in this section on "affected environment." The inversions have a great impact on the air quality, particularly ozone, in this project area.

- The Council on Environmental Quality (CEQ) Regulations (40 CFR 1502.1) states that "an environmental impact statement is more than a disclosure document. It shall be used by Federal officials in conjunction with other relevant material to plan actions and make decisions." If Mobile Source Air Toxics (MSATs) are an issue with this project, an air toxics analysis should be conducted to distinguish between alternatives, inform design changes, and target mitigation.

- Pg. 4-69. Section 4.9.5.2 – In order to give a balanced view of MSAT concentrations along S.R.108, EPA suggests adding a sentence after "…corresponding decrease in MSAT emissions along parallel routes." The sentence could say, "However, during congested traffic periods in early morning hours, MSAT concentrations near the highway are expected to be the highest."

- Editorial Comment: Pg. 3-82 Exhibit 3.9-8. Footnote "b". PM_{10} should be $PM_{2.5}$.

- Pg. 3-77, Section 3.9.4 Climate - EPA suggests including a figure in this section showing a "Wind Rose" representative of the project area. This information could be valuable for residents living near S.R. 108. With this figure, residents will know what percentage of the time they are downwind from highway emissions.

- Pg. 4-70, last paragraph – "alternatives could move some traffic closer to nearby homes, schools, and businesses…" We recommend including a figure in Section 4.3.2.5 – Public Health and Safety which shows the location of nearby schools such as those in Syracuse.

- The traffic analysis should show the project's impact on average daily traffic, Vehicle Miles Traveled and speeds. The assumed population growth used to project traffic volumes should be identified to assure consistency with the population projection in the State Implementation Plan.

Water Quality:

- While improving the runoff controls directly adjacent to the State Route 108 may decrease Total Suspended Solids loadings from the existing condition, it is likely that the water quality will decrease over time as the cumulative impact of creating new impervious surfaces along the project corridor is realized. To reduce the relative proportion of impervious surfaces associated with vehicle travel, efforts could be made to ensure that the connectivity of arterials is maintained or improved. From the provided overhead photos, it is apparent that several roads are disconnected and/or blocked off by individual subdivisions. Continued development in this pattern will cause continued traffic increases on State Route 108 and will increase Vehicle Miles Traveled and the associated environmental impacts.

Indirect Effects/Quality of Life/Smart Growth

- Page 4-154 of the report indicates that the project will not change the rate of growth or types of developments in the community. We have previously remarked in our scoping comments that new highway construction that improves traffic flow and eliminates congestion can increase access and contribute to induced residential, commercial, industrial growth, and changed land uses. Increased rates of growth and land use changes caused by a highway project constitute indirect effects that should be evaluated. Induced residential, commercial, and industrial growth and land use affect air quality, water quality, wetlands, wildlife habitat loss and fragmentation, urban sprawl and loss of rural character, farm land and other natural resources. Road building and expansion often result in induced growth effects (sprawl) and stimulate increased use of privately owned vehicles and vehicle miles traveled. This, in turn, leads to increased auto dependency and demand for more roads. These types of indirect effects and appropriate mitigation measures need to be evaluated and disclosed in the FEIS (i.e., identify existing condition and trends and forces shaping growth and development in the area; identify land with development potential and most likely locations of growth; identify sensitive environmental resources that may be impacted; estimate growth and impacts with and without project).

- The analysis of indirect effects should not rely solely on compliance with existing comprehensive land use plans. While comprehensive land use plans are an important component of the analysis of indirect effects, compliance with these plans could still result in adverse environmental effects. EPA believes that without this, road growth and land use would develop differently in location, density and type of development.

- The FEIS should identify potential mitigation techniques for induced growth and associated environmental effects, such as:

  -access controls (location of interchanges)
  -local land use plans that affect or regulate new development
  -zoning controls
  -transfer of development rights

-growth management regulation (public facilities ordinances, development moratoria, urban growth boundaries, extraterritorial zoning/annexation)
-resource management and preservation regulations
-land acquisition and conservation easements
-incentives for Brownfields/infill development

Greenhouse Gases

- A discussion of greenhouse gases should be included. Recent court cases suggest that EISs, even if they reduce emissions, should address this issue. Where possible, please disclose any energy reduction efforts/technologies or other emission reduction strategies that could be considered for this project.

Pollution Prevention

The Office of the Federal Environmental Executive released a new Executive Order on January 24, 2007, "Strengthening Federal Environmental, Energy, and Transportation Management "(EO 13423) which requires all federal agencies to:

- Reduce energy intensity 30% by 2015
- Reduce Green House Gas Emissions through energy savings by 3% annually or 30% by 2105
- Build Performance: Construct or renovate buildings in accordance with sustainability strategies, including resource conservation, reduction, and use; citing; and indoor environmental quality

http://ofee.gov/eo/eo13423_main.asp
The document should address these requirements as appropriate.